

Attorney Docket No. 40101/13901 (2008.005)

REMARKS**I. INTRODUCTION**

Claim 21 has been amended. No new matter has been added. Thus, claims 1, 2, 4-7 and 10-68 remain pending in this application. It is respectfully submitted that based on the following remarks, all of the presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 112 REJECTIONS SHOULD BE WITHDRAWN

Claims 21-33 stand rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention. (See 04/29/08 Office Action, p. 3).

The Examiner rejected claim 21 for reciting a “computer-readable medium” when the specification defines a “computer storage medium.” In response, claim 21 has been amended to recite “a computer readable storage medium.” As such, Applicants submit that the 35 U.S.C. § 112 rejection should be withdrawn. Because claims 22-33 depend from, and therefore include all the limitations of claim 21, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 21.

III. THE 35 U.S.C. § 101 REJECTIONS SHOULD BE WITHDRAWN

Claims 21-33 stand rejected under 35 U.S.C. § 101 for reciting a computer-readable medium. (See 04/29/08 Office Action, p. 4). Claim 21 has been amended to recite “a computer readable storage medium.” As such, Applicants submit that the 35 U.S.C. § 101 rejection should be withdrawn. Because claims 22-33 depend from, and therefore include all the limitations of claim 21, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 21.

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Claims 34-51 stand rejected under 35 U.S.C. § 101 for reciting a “computer system,” where the claims recite means plus functions. (See 04/29/08 Office Action, p. 4).

The Examiner asserts, “the recitations do not cause a “computer system” as a hardware system. Means plus functions appear covering software elements. Thus, the claims include software per se. Software per se fails to meet 35 USC 101.” (See 04/29/08 Office Action, p. 4). Applicants respectfully disagree.

Claim 34 recites a “first means...second means...third means...fourth means,” for performing a function. Each of these functions may be performed by a processor. A processor is not software and is directed to statutory subject matter. As such, Applicants assert that claim 34 is allowable and the 35 U.S.C. § 101 rejection should be withdrawn. Because claims 35-51 depend from, and therefore include all the limitations of claim 34, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 34.

IV. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 1, 2, 4-7 and 10-68 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,136,709 to Shirakabe et al. (hereinafter “Shirakabe”). (See 04/29/08 Office Action, p. 5).

Claim 5 recites, “setting up input/output channels by connecting a standard input and a standard output of a running operating system kernel to the module input and the module output.” The Examiner asserts that the above recitation of claim 1 is “merely adding ingredient or utilize whatever it is available (*standard input and standard output of a running system kernel*). It does not change the effect or result of passing data in a dynamic link.” (See 04/29/08 Office Action, p. 7). Applicants respectfully disagree.

The Examiner correctly concedes that “Shirakabe does not address the language of the

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claim “by connecting to a standard input and standard out of a running system kernel to the module input and module output.” (See 04/29/08 Office Action, p. 7). The Examiner, however, is incorrect in stating that there is no change in effect or result by connecting the module input and output to the standard input and output. As one skilled in the art understands, in a standard program input and outputs are passed to and from the kernel. The kernel then passes the inputs to the program and receives the output from the program. By “connecting a standard input and a standard output of a running operating system kernel to the module input and the module output,” as recited in claim 1, the module can input and output data without the need for the data to first pass through the kernel. Therefore, Applicants submit that “setting up input/output channels by connecting a standard input and a standard output of a running operating system kernel to the module input and the module output,” as recited in claim 1, does add ingredient and utilization. Because claims 6 and 7 depend from, and therefore include all the limitations of claim 5, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 5.

Independent claim 1 recites, “setting up input/output channels by connecting a standard input and a standard output of the running operating system kernel to the module input and the module output.” Applicants submit that this claim is also allowable for at least the same reasons stated above with respect to claim 5. Because claims 2, 4 and 10-20 depend from, and therefore include all the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 1.

Independent claim 21 recites, “setting up input/output channels by connecting a standard input and a standard output of the running operating system kernel to the module input and the module output.” Applicants submit that this claim is also allowable for at least the same reasons stated above with respect to claim 5. Because claims 22-33 depend from, and therefore include all the limitations of claim 21, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 21.

Independent claim 34 recites, “setting up input/output channels by connecting a standard input and a standard output of the running operating system kernel to the module input and the

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module output.” Applicants submit that this claim is also allowable for at least the same reasons stated above with respect to claim 5. Because claims 35-46 depend from, and therefore include all the limitations of claim 34, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 34.

Independent claim 47 recites, “setting up input/output channels by connecting a standard input and a standard output of the running operating system kernel to the module input and the module output.” Applicants submit that this claim is also allowable for at least the same reasons stated above with respect to claim 5. Because claims 48-51 depend from, and therefore include all the limitations of claim 47, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 47.

Independent claim 52 recites, “setting up input/output channels by connecting a standard input and a standard output of the running operating system kernel to the module input and the module output.” Applicants submit that this claim is also allowable for at least the same reasons stated above with respect to claim 5. Because claims 53-68 depend from, and therefore include all the limitations of claim 52, it is respectfully submitted that these claims are also allowable for at least the same reasons given above with respect to claim 52.

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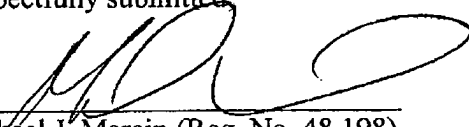
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CONCLUSION

In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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